THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16216 of 2006

Date: 03-08-2006

Between :-

Jogi Satyanarayanamma .. Petitioner

And

The Chief Election Commissioner, Hyd
and others .. Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16216 of 2006

ORDER:-

Heard Sri Bokka Satyanrayana, counsel representing the petitioner and the counsel representing the respondents.

The writ petition is filed for a writ of mandamus declaring the action of respondent No.3 in conducting the election for the post of Sarpanch of Sangam Cheruvu Gram Panchayat, Palkol Mandal, West Godavari district with disqualified members as illegal, arbitrary and contrary to the provisions of Gram Panchayat Act 1995 and consequently direct the respondents 1 to 3 not to conduct the election for the post of Sarpanch, Sagam Cheruvu Gram Panchayat, Palkol Mandal of West Godavari district and to pass such other suitable orders.

The main ground of attack is that R.4 is disqualified from contesting the election by virtue of operation of Section 19(3) of A.P.Panchayat Raj Act.

It is needless to say that this is a question of fact which may have to be gone into at the appropriate stage. The petitioner is given liberty to approach the election tribunal by way of election petition, if the petitioner is so advises.

With the above observation, the writ petition is disposed of. No order as to costs.

03.8.2006

Note:
Issue c.c. in three days.

B/o.

Mdaa.